

Application No. 09/708,944

Atty Docket: BLFR 1000-1

REMARKS

Claims 1, 3-13, 15-23, 25-33, 65, 67-85 and 112-115 are pending. Claims 34-64 and 86-111 were cancelled for purposes of appeal. In this document, claims 2, 24 and 66 are also cancelled.

The independent claims have been amended, in keeping with discussions recounted in a Statement of Substance of Interview, filed in a separate document.

After discussion with the Examiner, we feel assured that the Examiner will find that the amendments are free of § 102 issues or § 112 issues and to distinguish over the art of record. Applicants do not believe that the scope of the claims is reduced by these amendments. Instead, the understanding that one of skill in the art would have reached, after reading the specification and claims, is now explicitly stated.

Support for the amendments appears throughout the application, for instance at page 5, which lists creating profiles, setting up item and location data, setting up a causal calendar and running distributions. Adjustment using the causal calendar is supported, for instance, on page 21. Formulas are given elsewhere. Applicants do not intend to introduce any new matter by these amendments.

In case the Examiner wants to revisit the art of record, even after reviewing a draft claim and inducing the withdrawal of the appeal in this case, Applicants hereby incorporate by reference their Appeal Brief of August 26, 2005, as if set forth in full.

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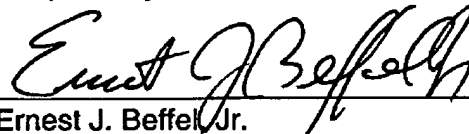
CONCLUSION

Applicant respectfully submits that the pending claims are now in condition for allowance and thereby solicits acceptance of the claims, in light of these amendments.

An interview is hereby requested, upon completion of the Examiner's supplemental search.

The undersigned can ordinarily be reached at his office at (650) 712-0340 from 8:30 a.m. to 5:30 p.m. PST, Monday through Friday, and can be reached at his cell phone at (415) 902-6112 most other times.

Respectfully submitted,



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